



Community Development Department
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MINUTES
WASHINGTON CITY PLANNING COMMISSION
NOVEMBER 18, 2015

PRESENT: Commissioner Smith, Commissioner Shepherd, Commissioner Henrie, Commissioner Papa, Commissioner Martinsen, Commissioner Hardman, Attorney Jeff Starkey, Councilman Nisson, Drew Ellerman, Lester Dalton, Kathy Spring, Paul Baird, Bruce McPhie, Lee Taylor, Mike Stewart, Lester Jessop, Ben Willits, Scott Duffin.

Meeting called to order: 5:35 P.M.
Invocation: Commissioner Shepherd
Pledge of Allegiance: Commissioner Smith

Commissioner Greg Hardman introduced himself. He lives in the Green Spring area. He is married with 3 kids. He is an attorney with Snow Jensen and has worked with cities in his practice.

1. APPROVAL OF AGENDA

A. Approval of the agenda for November 18, 2015.
Commissioner Henrie motioned to approve the agenda for November 18, 2015.
Commissioner Papa seconded the motion.
Motion passed unanimously.

2. APPROVAL OF MINUTES

A. Approval of the minutes from October 21, 2015.
Commissioner Shepherd motioned to approve the minutes from October 21, 2015.
Commissioner Henrie seconded the motion.
Motion passed unanimously.

3. DECLARATION OF ABSTENTIONS & CONFLICTS

Commissioner Hardman stated his firm has worked with Jack Fisher Homes and wants to disclose that his firm has been involved.

4. FINAL PLAT

- A. Consideration and recommendation to City Council for the Brio Phase 1B Final Plat located at approximately Via Del Sol and Camino Corto. Applicant: Jack Fisher Homes

Background

Drew Ellerman stated the applicant is requesting approval of a final plat for the Brio, Phase 1B subdivision, located at approximately the northwest corner of Buena Vista Blvd. and Main Street. This particular subdivision is proposing 21 lots on an area covering 6.492 acres. The specific location of this subdivision is zoned Planned Community Development (PCD). The Preliminary Plat was approved back on August 13, 2014.

Staff has reviewed the requested proposal, and the proposed final plat, conforms to the approved preliminary plat.

Recommendation

Staff recommends that the Planning Commission recommend approval of the Final plat for the Brio, Phase 1B subdivision to the City Council, based on the following findings and subject to the following conditions:

Findings

1. The final plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the final plat conforms to the Washington City Zoning Ordinance and Subdivision Ordinance as outlined.
3. The proposed final plat conforms to the approved preliminary plat.

Conditions

1. All improvements shall be completed or bonded for prior to recording the final plat.
2. A current title report policy shall be submitted prior to recording the final plat.
3. Any referenced control monuments related to this subdivision shall be in place prior to recordation of the final plat. A stamped and signed letter from a professional land surveyor licensed in the state of Utah that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.
4. When applicable, in the General Notes where the terms "Home Owners Association", or "Property Owners" are used, they shall be changed to read as "Property Owners and/or Home Owners Association".

5. That a Post Construction Maintenance Agreement be recorded prior to the recording of the final plat.
6. General Note #1 needs to be called out as a blanket PUE and Drainage easement over all open space/common areas.
7. Existing easements in platted areas need to be shown, and references made to the areas to be abandoned with the recording of this plat.
8. Sewer easements in non-common areas need to be widened to accommodate depth and facilitate maintenance. If they are to be in future roadways, the entire roadway could be an easement.
9. Open Space areas need to be clearly shown and all detention areas need to be labeled in their respective locations.

Commissioner Smith asked if there are any changes from what was approved with the Preliminary plat.

Mr. Ellerman stated it does not have any changes.

Commissioner Hardman asked if there is a mortgage on the plat.

Mr. Ellerman stated there is always a consent of mortgagee. He explained the process of approval of the plat/mylar.

Jeff Starkey explained when he does his review he looks at HOA registration, mortgagee consent and any legal item associated with the plat.

Commissioner Smith asked Ben from Jack Fisher if he is aware of the conditions.

Ben Willits answered yes.

Commissioner Shepherd motioned to recommendation to City Council with the findings and conditions of staff.

Commissioner Henrie seconded the motion.

Motion passed unanimously.

5. PRELIMINARY PLAT

- A. Public Hearing for consideration and recommendation to City Council for the Brio Phase 2 Preliminary Plat located at approximately corner of Brio Parkway and Rialto Blvd. Applicant: Jack Fisher Homes

Background

Drew Ellerman stated the applicant is requesting approval of a preliminary plat for the Brio - Phase 2 subdivision, located at approximately the corner of Brio Parkway and Rialto Blvd.. The applicant is wishing to develop 88 lots on an area covering 24.52 acres. These lots will consist of all residential use.

The location of this particular project is zoned Planned Community Development (PCD). The surrounding zoning is Open Space to the north and west, Single-Family Residential - 6,000 square feet min. (R-1-6), Open Space and Multiple-Family Residential (R-3) to the east, Service Commercial (C-2), and Multiple-Family Residential (R-3) and Planned Unit Development (PUD) to the south.

The request meets the zoning regulation requirements and other city ordinances as it relates to this location. Staff has reviewed the request and recommends that the proposed subdivision be recommended for approval.

Recommendation

Staff recommends that the Planning Commission recommend approval of the Preliminary plat for the Brio - Phase 2 subdivision to the City Council, based on the following findings and subject to the following conditions:

Findings

1. The preliminary plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the preliminary plat conforms to the Zoning Regulations, The PCD Zoning Approval and the Subdivision Ordinance as conditioned.

Conditions

1. A final drainage study and grading and drainage plan shall be submitted for review and approval prior to moving dirt. Development of the site shall comply with the recommendations of the geotechnical study and drainage study, and improvements for drainage and detention shall be approved by the Public Works Department.
2. A final geotechnical study shall be submitted to the City for review and approval prior to submitting the final plat. All recommendations of the geotechnical study shall be adhered to.
3. Construction drawings for the subdivision and its infrastructure shall be submitted to the City for review and approval prior to the submittal for final plat.
4. The construction drawings shall adequately address prevention of nuisance storm water drainage across lots. If retaining walls are utilized to prevent cross-lot drainage, the developer shall be responsible for installing said retaining walls.
5. At the time of final plat submittal, the following documents shall also be submitted:
 - A. A title report.

B. A copy of any deed restrictions, other restrictions, restrictive covenants, architectural controls, or other requirements that may apply to the development (CC&Rs).

6. All detention areas shall be landscaped and all detention and landscaped areas shall be maintained by the property owners and/or homeowners association. A note shall be placed on the plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain the detention and landscaped areas.
7. A final landscaped plan and fencing plan shall be submitted for review and approval prior to the submittal of the final plat. Landscaping and fencing shall be installed prior to the occupancy of the buildings that will be constructed along the landscaped and fenced areas.
8. All landscaping, walls and other structures shall meet sight distance requirements. A note shall be placed on the final plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain sight distance requirements.
9. Driveway locations are to be approved by the Public Works Department.
10. Any proposed blasting for the development of the subdivision requires the submittal of a blasting plan with the construction drawings and issuance of a blasting permit.
11. Street cross sections will have to be approved by the city council through adoption of the Project Plan Book, and Development Agreement.
12. A signed, stamped letter stating compliance with the Brio streets, water, sewer and storm water master plans needs to be submitted with construction drawings.
13. A Post Construction Maintenance Agreement needs to be recorded prior to the Final Plat recordation.

Lester Dalton stated he wants an additional condition that the Rialto Blvd be built to full width.

Commissioner Smith asked Ben Willits if he is okay with the conditions.

Mr. Willits stated he is okay with the conditions, he asked if it was curb to curb.

Mr. Dalton stated yes.

Commissioner Smith opened the public hearing.

No response.

Commissioner Henrie motioned to close the public hearing.

Commissioner Papa seconded the motion.

Motion passed unanimously.

Commissioner Papa motioned to recommend approval to City Council with the findings and conditions of staff with added Condition #14 that the Rialto Blvd be built to full width for construction purposed per staff.

Commissioner Henrie seconded the motion.

Motion passed unanimously.

6. ZONE CHANGE

- A. Public Hearing for consideration and recommendation to City Council a Zone Change request Z-15-17 for Indians Springs and lots north of Indian Circle to change from PUD (Planned Unit Development) to R-1-8 (Single Family Residential minimum 8,000 sq ft lots). Applicant: Mike Stewart

Background

Drew Ellerman stated the applicant is requesting approval to change the zoning of approximately 19.268 acres, located at Indian Springs Subdivision and several lots at the north end of Indian Circle. The requested change is from the current zoning of Planned Unit Development (PUD) to a proposed Single-Family Residential - 8,000 sq. ft. min. (R-1-8) zoning designation. The (R-1-8) request is at the request of Washington City, and the wish of the applicant to develop the land on the north end of Indian Circle.

The roughly 1.925 acres (the area driving this zone change request), along with other acreage, was set aside in the original PUD approval for open space as required by the Zoning Regulations.

Some time after the zoning approval, the entire project went into foreclosure before any development occurred. The original project included, what is now three different subdivisions known as Indian Springs, River Shadow Estates and Mesa Shadow. During the foreclosure process, the land was purchased by three developers and the original PUD was never followed.

The open space and park areas were never built as to the PUD plan. These areas are just vacant land not being utilized.

This proposal is necessary to re-label these acreages to land designated for residential uses, and eliminate the non-functioning PUD designation. Nothing will be changed for the properties within the Indian Springs Subdivision with the removal of the PUD zoning and moving them into the standard zoning designation of R-1-8. Just for informational purposes only, the R-1-8 designation is being given due to the fact that the super majority of the lots within Indian Springs are 8,000 square feet or greater.

Staff has reviewed the requested zone change and finds it conforms to the Zoning Ordinance.

Recommendation

Staff recommends that the Planning Commission recommend approval of Z-15-17, for the zone change request from Planned Unit Development (PUD), to the proposed Single-Family Residential - 8,000 sq. ft. min. (R-1-8), to the City Council, based on the following findings.

Findings

1. That the requested zoning conforms to the intent of the Zoning Regulations.

Commissioner Papa asked if the intent is to create four lots.

Mr. Ellerman stated yes even though this is a zone change the layout is just so they can see what they are planning to do.

Commissioner Henrie asked why the 2 lots are not involved.

Mr. Ellerman stated Larry Adams owned the lots and he built homes then sold them. It was not apart of the Indian Springs subdivision.

Commissioner Smith asked if there are any concerns with the CC&Rs and HOA.

Mr. Ellerman stated that will be addressed when the plan comes in for approval.

Mike Stewart stated that presently he doesn't know if there are going to be 4 or 5 lots.

Commissioner Smith opened the public hearing.

Paul Baird stated he lives in Indian Springs and asked about the sliver parcel and why they don't do Mesa Shadows.

Mr. Ellerman answered when someone comes in wanting to do something in Mesa Shadow they will change the zone at that time.

Commissioner Shepherd asked for clarification of the boundaries.

Mr. Ellerman showed on the overhead what the boundaries would be. He stated the northern portion is added to the Indian Springs zoning but does not include it into the subdivision.

Commissioner Papa motioned to close the public hearing.

Commissioner Henrie seconded the motion.

Motion passed unanimously.

Commissioner Shepherd motioned to recommend approval to City Council with the recommendation and findings of staff.

Commissioner Papa seconded the motion.

Motion passed unanimously.

7. DISCUSSION ITEMS

A. Discussion of Planning Commission information and project status.

Mr. Ellerman stated the next year they will discuss the Warner Valley area. Most of the property there is owned by BLM.

Commissioner Henrie asked if there are going to be public neighborhood meetings.

Mr. Ellerman stated as the need arises.

**Commissioner Henrie motioned to adjourn the Planning Commission Meeting.
Commissioner Papa seconded the motion.
Motion passed unanimously.**

Meeting adjourned: 6:20 PM

Washington City

Signed by: Laurie Shepherd, pro tem
~~Jason Smith, Chairman~~
Laurie Shepherd, Pro tem

Attested to: Kathy Spring
Kathy Spring, Zoning Technician